

**APPENDIX C:
UNSUITABILITY FINDINGS**

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Unsuitability Criteria	Findings for Thunder Basin National Grasslands (TBNG) Study Area (USFS 1985) ¹	Validation for North Rochelle LBA Tract
<p>1. Federal Land Systems. With certain exceptions, all federal lands included in the following systems are unsuitable for leasing: National Parks, National Wildlife Refuges, National System of Trails, National Wilderness Preservation System, National Forests, and federal lands in incorporated cities, towns, and villages.</p>	<p>TBNG is not part of a National Forest, and none of the other listed federal land categories are present in the study area.</p>	<p>There are no unsuitable findings for this criteria on the LBA tract.</p>
<p>2. Rights-of-way and Easements. Federal lands that are within ROWs or easements or within surface leases for residential, commercial, industrial, or other public purposes, or for agricultural crop production on federally owned surface are unsuitable for leasing.</p>	<p>ROWs and buffers for the Burlington Northern Railroad and Tri-County 230-kV transmission line were declared unsuitable.</p>	<p>There are no unsuitable findings for this criteria on the LBA tract.</p>
<p>3. Buffer zones for ROWs, communities, and buildings. Federal lands within 100 ft of a ROW of a public building, school, church, community or institutional building, or public park, or within 300 ft of an occupied dwelling are unsuitable for leasing.</p>	<p>Within the TBNG, a school at Wilkinson Ranch headquarters, Wyoming State Highway 59, and five ranch headquarters were determined to meet the intent of this criterion.</p>	<p>There are no unsuitable findings for this criteria on the LBA tract.</p>
<p>4. Wilderness Study Areas. Federal lands designated as Wilderness Study Areas are unsuitable for leasing while under review for possible wilderness designation.</p>	<p>No land within the TBNG review area are within a Wilderness Study Area.</p>	<p>There are no unsuitable findings for this criteria on the LBA tract.</p>
<p>5. Scenic Areas. Scenic federal lands designated by visual resource management analysis as Class I (outstanding visual quality or high visual sensitivity) but not currently on the National Register of Natural Landmarks are unsuitable for leasing.</p>	<p>No lands in TBNG review area meet the scenic criteria, as outlined.</p>	<p>There are no unsuitable findings for this criteria on the LBA tract.</p>
<p>6. Land Used for Scientific Study. Federal lands under permit by the surface management agency and being used for scientific studies involving food or fiber production, natural resources, or technology demonstrations and experiments are unsuitable for lease for the duration of the study, except where mining would not jeopardize the purpose of the study.</p>	<p>No lands in the TBNG review area are under permit except small enclosures being used to gage reclamation success on existing mines.</p>	<p>There are no unsuitable findings for this criteria on the LBA tract.</p>
<p>7. Historic Lands and Sites. All districts, sites, buildings, structures, and objects of historic, architectural, archaeological, or cultural significance on federal lands included in or eligible for inclusion in the National Register of Historic Places and an appropriate buffer zone are unsuitable for lease.</p>	<p>On the basis of consultation with the State Historic Preservation Office, there were no unsuitable findings under this criterion in the TBNG review area.</p>	<p>There are no unsuitable findings for this criteria on the LBA tract.</p>

Unsuitability Findings (Continued)

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8. Natural Areas. Federal lands designated as natural areas or as National Natural Landmarks are unsuitable.	No lands in the TBNG are designated as natural areas or as National Natural Landmarks.	There are no unsuitable findings for this criteria on the LBA tract.
9. Critical Habitat for Threatened or Endangered Plant and Animal Species. Federally designated critical habitat for T&E plant and animal species are unsuitable for leasing.	There is no habitat meeting federally designated criterion for T&E plant or animal species within the TBNG review area.	There are no unsuitable findings for this criteria on the LBA tract.
10. State Listed Species. Federal lands containing habitat determined to be critical or essential for plant or animal species listed by a state pursuant to state law as T&E shall be considered unsuitable for leasing.	Wyoming does not maintain a state list of T&E species of plants or animals. Therefore, this criterion does not apply.	There are no unsuitable findings for this criteria on the LBA tract.
11. Bald or Golden Eagle Nests. An active bald or golden eagle nest and appropriate buffer zone are unsuitable unless the lease can be conditioned so eagles will not be disturbed during breeding season or unless golden eagle nests will be moved.	The USFS found numerous eagle nests, and buffer zones were established, and determined that coal leasing can occur within the buffer zone if the nests are protected with stipulations and site mitigation plans. There were no unsuitable findings under this criterion, but lands involved in buffer zones are subject to special lease stipulations.	Special lease stipulations may be required to assure protection and mitigation. However, there are no unsuitable findings, the North Rochelle LBA tract is available for further consideration.
12. Bald or Golden Eagle Roost and Concentration Areas. Bald and golden eagle roost and concentration areas on federal lands during migration and wintering are unsuitable for leasing unless mining can be conducted in such a way as to ensure that eagles shall not be disturbed.	No golden eagle roost or concentration areas occur on the TBNG review area. Mining planned in the review area is not likely to jeopardize the continued existence of the bald eagle. Coal leasing can occur and adequate protection can be provided. There were no unsuitable findings in the TBNG review area.	There are no unsuitable findings for this criteria on the LBA tract.
13. Federal lands containing an active falcon (excluding kestrel) cliff nesting site and a suitable buffer zone shall be considered unsuitable for leasing.	After consultation with the U.S. Fish and Wildlife Service (USFWS), it was determined that this criterion does not apply in TBNG.	There are no unsuitable findings for this criteria on the LBA tract.
14. Habitat for Migratory Bird Species. Federal lands which are high priority habitat for migratory bird species of high federal interest shall be considered unsuitable for leasing.	After consultation with the USFWS, it was determined that this criterion does not apply in TBNG.	There are no unsuitable findings for this criteria on the LBA tract.

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Unsuitability Findings (Continued)

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15. Fish and Wildlife Habitat for Resident Species. Federal lands which the surface management agency and state jointly agree are wildlife habitat for resident species of high interest to the state, and which are essential for maintaining these priority wildlife species, shall be considered unsuitable for leasing.	Sage grouse leks were found on and near the TBNG review area. However, methods of mining can be developed which will not have a significant long-term impact on the grouse or their habitat. Therefore, the areas involved in leks and buffer zones are not unsuitable.	There are no unsuitable findings for this criteria on the LBA tract.
16. Floodplains. Federal lands in riverine, coastal, and special floodplains shall be considered unsuitable for leasing unless stipulated methods of mining can be undertaken without substantial threat of loss of life, property, or natural value.	After consultation with the U.S. Geological Survey (USGS), it was determined that floodplains can be mined with site-specific stipulations and resource protection safeguards to be developed during mining and reclamation planning. Therefore, all lands within the TBNG review area are available for further consideration.	There are no unsuitable findings for this criteria on the LBA tract.
17. Municipal Watersheds. Federal lands which have been committed by the surface management agency to use as municipal watersheds shall be considered unsuitable for leasing.	There are no municipal watersheds in the TBNG review area.	There are no unsuitable findings for this criteria on the LBA tract.
18. National Resource Waters. Federal lands with national resource waters, as identified by states in their Water Quality Management Plans, and 1/4-mi buffer zones shall be unsuitable for leasing.	There are no national resource waters within the TBNG review area.	There are no unsuitable findings for this criteria on the LBA tract.
19. Alluvial Valley Floors (AVFs). All lands identified by the surface management agency, in consultation with the state, as AVFs where mining would interrupt, discontinue, or preclude farming, are unsuitable for leasing. Additionally, when mining federal lands outside an AVF would materially damage the quality or quantity of water in surface or underground water systems that would supply AVFs, the land shall be considered unsuitable for leasing.	Lands along prominent drainages were considered potential AVFs, pending a final determination by the state. These lands are placed in an "available pending further study" category and are not considered unsuitable for lease.	No identified potential AVFs occur on the LBA tract.
20. State or Indian Tribe Proposed Criteria. Federal lands to which is applicable a criterion proposed by the state or Indian Tribe located in the planning area and adopted by rule making by the Secretary are unsuitable for leasing.	The State of Wyoming has no applicable criteria, and there are no Indian Tribes located in the planning area. Therefore, there is no unsuitability finding.	There are no unsuitable findings for this criteria on the LBA tract.

¹ U.S. Forest Service. 1985. Land and Resource Management Plan, Medicine Bow National Forest and Thunder Basin National Grassland, USDA Forest Service, October 1985.